



The Journal OF THE *House of Representatives*

Number 5

Tuesday, March 12, 2013

The House was called to order by the Speaker at 3:30 p.m.

Prayer

The following prayer was offered by Rabbi Adam Watstein of B'nai Aviv Synagogue of Weston, upon invitation of Rep. Stark:

Our God, and God of our ancestors. God of compassion. God of justice. God of peace. We ask Your blessings for our great state of Florida, for its government, for its leaders, and advisors, and for all who exercise just and rightful authority. Grant them the ability to lead with a true understanding of Your vision, so that they may administer all affairs of state fairly, that peace and security, happiness and prosperity, justice and freedom may forever abide in our midst. Let us, O God, remember where we came from so that we may never forget our destination. With a crisply-ironed suit and a perfectly-knotted tie, my own great-grandfather of blessed memory would arrive at the polls early enough on election day to cast his ballot first. Only a painter by trade, he stood as dignified as royalty on election day because casting a ballot gave him something in this country he did not have in his native land—a voice that mattered.

God of compassion, may we always remember that we are in some way or another the children of immigrants whose voices were once silenced by tyranny and inequality and that our ability to take part in the political process of this great nation—from casting a ballot to holding an office—is a sacred gift. Creator of all flesh, may citizens of all races and creeds celebrate our ability to participate in this project of democracy, forging a common bond in true harmony to banish hatred and bigotry and to safeguard the ideals and free institutions that are the pride and glory of the United States of America. And let us say, Amen.

Moment of Silence

At the request of Rep. C. Watson, the House observed a moment of silence in memory of Army Private First Class Markie T. Sims, of Marion County, who was killed in the line of duty in Afghanistan on December 29, 2012.

The following members were recorded present:

Session Vote Sequence: 5

Speaker Weatherford in the Chair.

Adkins	Beshears	Campbell	Crisafulli
Ahern	Bileca	Castor Dentel	Cruz
Albritton	Boyd	Clarke-Reed	Cummings
Antone	Bracy	Clelland	Danish
Artiles	Brodeur	Coley	Davis
Baxley	Broxson	Combee	Diaz, J.
Berman	Caldwell	Corcoran	Diaz, M.

Dudley	La Rosa	Precourt	Smith
Eagle	Lee	Pritchett	Spano
Edwards	Magar	Raburn	Stafford
Fasano	Mayfield	Rader	Stark
Fitzenhagen	McBurney	Rangel	Steube
Fresen	McGhee	Raschein	Stewart
Fullwood	McKeel	Raulerson	Stone
Gaetz	Metz	Ray	Taylor
Gibbons	Moraitis	Reed	Thurston
Gonzalez	Moskowitz	Rehwinkel Vasilinda	Tobia
Goodson	Nelson	Renuart	Torres
Grant	Nuñez	Richardson	Trujillo
Hager	Oliva	Roberson, K.	Van Zant
Harrell	O'Toole	Rodriguez, R.	Waldman
Holder	Pafford	Rodriguez, J.	Watson, B.
Hood	Passidomo	Rogers	Watson, C.
Hooper	Patronis	Rooney	Weatherford
Hudson	Perry	Rouson	Williams, A.
Hutson	Peters	Santiago	Wood
Ingram	Pigman	Saunders	Workman
Jones, M.	Pilon	Schenck	Young
Jones, S.	Porter	Schwartz	Zimmermann
Kerner	Powell	Slosberg	

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Isabella Bogdahn of Winter Haven at the invitation of Rep. Wood; Lisa Detert of Venice at the invitation of Rep. Steube; Martha Kelly of Bradenton at the invitation of Rep. Boyd; Mary Kelly of Bradenton at the invitation of Rep. Boyd; Amelia Kurecki of Venice at the invitation of Rep. Rangel; Sarah Lambert of Tallahassee at the invitation of Rep. Schwartz; Connor Lennartz of Ormand Beach at the invitation of Rep. Hood; Nicholas Longordo of Tallahassee at the invitation of the Speaker; and Emma Pilcher of Freeport at the invitation of Rep. Coley.

House Physician

The Speaker introduced Dr. William Kranichfeld of Coral Gables, who served as Doctor of the Day at the invitation of Rep. J. Rodríguez.

Correction of the *Journal*

The *Journals* of March 5, March 7, and March 11, 2013 were corrected and approved as corrected.

Reports of Standing Committees and Subcommittees

Reports of the Rules & Calendar Committee

*The Honorable Will Weatherford
Speaker, House of Representatives*

March 8, 2013

Dear Mr. Speaker:

Your Rules & Calendar Committee herewith submits the Special Order for Tuesday, March 12, 2013. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

CS/HB 215 - Healthy Families Subcommittee, Albritton, & others
Dependent Children

CS/CS/HB 55 - Judiciary Committee, Business & Professional
Regulation Subcommittee, & others
Deceptive and Unfair Trade Practices

CS/HB 77 - Judiciary Committee, Porter
Landlords and Tenants

CS/HB 171 - Health Quality Subcommittee, Rooney, & others
Disposition of Human Remains

CS/HB 7003 - Education Appropriations Subcommittee, K-12
Subcommittee, & others Interstate Compact on Educational
Opportunity for Military Children

HB 15 - Rooney, Eagle, & others
Protest Activities

HB 7059 - Economic Affairs Committee, Davis
Driver Licensing

HB 9 - Campbell, Rehwinkel Vasilinda, & others
Involuntary Examinations under the Baker Act

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
Robert C. Schenck, Chair
Rules & Calendar Committee

On motion by Rep. Schenck, the above report was adopted.

Special Orders

CS/HB 215—A bill to be entitled An act relating to dependent children; providing a short title; creating s. 39.4091, F.S.; providing legislative findings and intent; providing definitions; providing for participation in age-appropriate extracurricular, enrichment, and social activities by children in out-of-home care; providing for use of a reasonable and prudent parent standard for decisionmaking about such activities; providing rulemaking authority; amending s. 39.522, F.S.; clarifying the standard for reunification and for changing custody; amending s. 409.1451, F.S.; providing for use of reasonable and prudent parent standard in certain decisionmaking; requiring submission of plan for judicial review; providing a definition; providing rulemaking authority; providing an effective date.

—was read the second time by title.

Representative Richardson offered the following:

(Amendment Bar Code: 206353)

Amendment 1—Remove lines 44-48 and insert:
children in out-of-home care.

Rep. Richardson moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

Representative Richardson offered the following:

(Amendment Bar Code: 952157)

Amendment 2—Remove line 83 and insert:
developmental growth without interfering with the natural development of the child's sexual orientation.

Rep. Richardson moved the adoption of the amendment, which failed of adoption.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 55—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.975, F.S.; conforming provisions; creating s. 501.98, F.S.; requiring a claimant to provide a demand letter to the motor vehicle dealer as a condition precedent to initiating civil litigation, including arbitration, against such dealer under the Florida Deceptive and Unfair Trade Practices Act; providing for expiration of the demand letter after a specified period; providing for the tolling of applicable time limitations for initiating actions; requiring a stay of civil litigation, including arbitration, brought without compliance with the demand letter requirements; providing an additional opportunity for claimants to comply with specified provisions; providing a condition that constitutes waiver of notice; providing for applicability; requiring that a specified notice be provided to consumers and acknowledged before provisions may apply; providing an effective date.

—was read the second time by title.

Representative Gaetz offered the following:

(Amendment Bar Code: 067233)

Amendment 1—Remove line 99 and insert:
arbitrator subsequently agrees that the

Rep. Gaetz moved the adoption of the amendment, which was adopted.

Representative Gaetz offered the following:

(Amendment Bar Code: 241765)

Amendment 2—Remove line 124 and insert:
principals, sureties, and insurers from any claim, suit,

Rep. Gaetz moved the adoption of the amendment, which was adopted.

Representative Gaetz offered the following:

(Amendment Bar Code: 404113)

Amendment 3—Remove lines 128-129 and insert:
as to items of damages that are not recoverable under this chapter.

Rep. Gaetz moved the adoption of the amendment, which was adopted.

Representative Rouson offered the following:

(Amendment Bar Code: 930765)

Amendment 4—Remove lines 146-168 and insert:
(9) A dealer waives any predispute arbitration agreement and the requirement that a customer provide a notice of claim before initiating civil

litigation as provided in this section if the dealer fails to provide to the customer, at the time of sale or other transaction to which this part applies, a document separate from any contract or agreement that is written in the same language as the contract or agreement and that provides the following form in at least 12-point type:

NOTICE OF CUSTOMER'S RIGHTS REGARDING UNFAIR AND DECEPTIVE PRACTICES BY MOTOR VEHICLE DEALERS

If you feel your motor vehicle dealer has engaged in one of the unfair and deceptive acts listed below, Florida law requires that you provide to the dealer written notice of a claim against the dealer at least 30 days before you can sue or arbitrate with your dealer.

This notice to the dealer must be delivered by United States mail or other nationally recognized carrier, return receipt requested, and include substantially the following:

1. Your name, address, and telephone number.
2. The name and address of the dealer.
3. A description of the underlying facts of the claim, including a description of each item for which actual damages are claimed.
4. The amount of damages, or, if you don't know, the best estimate of the damages.

Include copies of any documents you have upon which your claim is based.

Here is a list of unfair or deceptive acts or practices found in s. 501.976, Florida Statutes; these are examples of what a motor vehicle dealer may NOT do:

1. Represent directly or indirectly that a motor vehicle is a factory executive vehicle or executive vehicle unless such vehicle was purchased directly from the manufacturer or a subsidiary of the manufacturer and the vehicle was used exclusively by the manufacturer, its subsidiary, or a dealer for the commercial or personal use of the manufacturer's, subsidiary's, or dealer's employees.
2. Represent directly or indirectly that a vehicle is a demonstrator unless the vehicle complies with the definition of a demonstrator in s. 320.60, Florida Statutes.
3. Represent the previous usage or status of a vehicle to be something that it was not, or make usage or status representations unless the dealer has correct information regarding the history of the vehicle to support the representations.
4. Represent the quality of care, regularity of servicing, or general condition of a vehicle unless known by the dealer to be true and supportable by material fact.
5. Represent orally or in writing that a particular vehicle has not sustained structural or substantial skin damage unless the statement is made in good faith and the vehicle has been inspected by the dealer or his or her agent to determine whether the vehicle has incurred such damage.
6. Sell a vehicle without fully and conspicuously disclosing in writing at or before the consummation of sale any warranty or guarantee terms, obligations, or conditions that the dealer or manufacturer has given to the buyer. If the warranty obligations are to be shared by the dealer and the buyer, the method of determining the percentage of repair costs to be assumed by each party must be disclosed. If the dealer intends to disclaim or limit any expressed or implied warranty, the disclaimer must be in writing in a conspicuous manner and in lay terms in accordance with chapter 672, Florida Statutes, and the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act.
7. Provide an express or implied warranty and fail to honor such warranty unless properly disclaimed pursuant to paragraph 6..
8. Misrepresent warranty coverage, application period, or any warranty transfer cost or conditions to a customer.
9. Obtain signatures from a customer on contracts that are not fully completed at the time the customer signs or that do not reflect accurately the negotiations and agreement between the customer and the dealer.
10. Require or accept a deposit from a prospective customer before entering into a binding contract for the purchase and sale of a vehicle unless

the customer is given a written receipt that states how long the dealer will hold the vehicle from other sale and the amount of the deposit, and clearly and conspicuously states whether and upon what conditions the deposit is refundable or nonrefundable.

11. Add to the cash price of a vehicle as defined in s. 520.02(2), Florida Statutes, any fee or charge other than those provided in that section and in rule 69V-50.001, Florida Administrative Code. All fees or charges permitted to be added to the cash price by rule 69V-50.001, Florida Administrative Code, must be fully disclosed to customers in all binding contracts concerning the vehicle's selling price.

12. Alter or change the odometer mileage of a vehicle.

13. Sell a vehicle without disclosing to the customer the actual year and model of the vehicle.

14. File a lien against a new vehicle purchased with a check unless the dealer fully discloses to the purchaser that a lien will be filed if purchase is made by check and fully discloses to the buyer the procedures and cost to the buyer for gaining title to the vehicle after the lien is filed.

15. Increase the price of the vehicle after having accepted an order of purchase or a contract from a buyer, notwithstanding subsequent receipt of an official price change notification. The price of a vehicle may be increased after a dealer accepts an order of purchase or a contract from a buyer if:

- a. A trade-in vehicle is reappraised because it subsequently is damaged, or parts or accessories are removed;
- b. The price increase is caused by the addition of new equipment, as required by state or federal law;
- c. The price increase is caused by the revaluation of the United States dollar by the Federal Government, in the case of a foreign-made vehicle;
- d. The price increase is caused by state or federal tax rate changes; or
- e. Price protection is not provided by the manufacturer, importer, or distributor.

16. Advertise the price of a vehicle unless the vehicle is identified by year, make, model, and a commonly accepted trade, brand, or style name. The advertised price must include all fees or charges that the customer must pay, including freight or destination charge, dealer preparation charge, and charges for undercoating or rustproofing. State and local taxes, tags, registration fees, and title fees, unless otherwise required by local law or standard, need not be disclosed in the advertisement. When two or more dealers advertise jointly, with or without participation of the franchisor, the advertised price need not include fees and charges that are variable among the individual dealers cooperating in the advertisement, but the nature of all charges that are not included in the advertised price must be disclosed in the advertisement.

17. Charge a customer for any predelivery service required by the manufacturer, distributor, or importer for which the dealer is reimbursed by the manufacturer, distributor, or importer.

18. Charge a customer for any predelivery service without having printed on all documents that include a line item for predelivery service the following disclosure: "This charge represents costs and profit to the dealer for items such as inspecting, cleaning, and adjusting vehicles, and preparing documents related to the sale."

19. Fail to disclose damage to a new motor vehicle, as defined in s. 319.001(9), Florida Statutes, of which the dealer had actual knowledge, if the dealer's actual cost of repairs exceeds the threshold amount, excluding replacement items.

THIS LIST IS NOT AN EXHAUSTIVE LIST OF UNFAIR OR DECEPTIVE ACTS OR PRACTICES.

[Dealership Name]

[Authorized Dealership Management Representative]

[Dealership Address]

I have explained this document to the customer.

[Signature of Authorized Dealer Management Representative] (Date signed)

[Customer's Signature] [Date Signed]

Rep. Rouson moved the adoption of the amendment. Subsequently, **Amendment 4** was withdrawn.

Representative Gaetz offered the following:

(Amendment Bar Code: 665871)

Amendment 5—Remove line 161 and insert:
claim; the amount of damages; and copies of any

Rep. Gaetz moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 77—A bill to be entitled An act relating to landlords and tenants; amending s. 83.42, F.S.; revising exclusions from applicability of the Florida Residential Landlord and Tenant Act; amending s. 83.48, F.S.; providing that the right to attorney fees may not be waived in a lease agreement; providing that attorney fees may not be awarded in a claim for personal injury damages based on a breach of duty of premises maintenance; amending s. 83.49, F.S.; revising and providing landlord disclosure requirements with respect to security deposits and advance rent; providing requirements for the disbursement of advance rents; providing a limited rebuttable presumption of receipt of security deposits; providing for applicability of changes made by the act to certain disclosure requirements; amending s. 83.50, F.S.; removing certain landlord disclosure requirements relating to fire protection; amending s. 83.51, F.S.; revising a landlord's obligation to maintain a premises with respect to screens; amending s. 83.54, F.S.; providing that enforcement of a right or duty under the Florida Residential Landlord and Tenant Act by civil action does not preclude prosecution of a criminal offense; amending s. 83.56, F.S.; revising procedures for the termination of a rental agreement by a landlord; revising notice procedures; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, subject to certain notice; providing that the period to institute an action before an exemption involving rent subsidies is waived begins upon actual knowledge; amending s. 83.575, F.S.; revising requirements for the termination of a tenancy having a specific duration to provide for reciprocal notice provisions in rental agreements; amending ss. 83.58 and 83.59, F.S.; conforming cross-references; amending s. 83.60, F.S.; providing that a landlord must be given an opportunity to cure a deficiency in any notice or pleadings before dismissal of an eviction action; making technical changes; amending s. 83.62, F.S.; revising procedures for the restoration of possession to a landlord to provide that weekends and holidays do not stay the applicable notice period; amending s. 83.63, F.S.; conforming a cross-reference; amending s. 83.64, F.S.; providing examples of conduct for which the landlord may not retaliate; amending s. 723.063, F.S.; providing that a mobile home park owner must be given an opportunity to cure a deficiency in any notice or pleadings before dismissal of an eviction action; providing an effective date.

—was read the second time by title.

Representative Porter offered the following:

(Amendment Bar Code: 326499)

Amendment 1—Remove lines 128-131 and insert:
AND MUST MAIL YOU THE REMAINING DEPOSIT, IF ANY.

Rep. Porter moved the adoption of the amendment, which was adopted.

Representative Porter offered the following:

(Amendment Bar Code: 786199)

Amendment 2—Remove lines 227-229 and insert:

required in s. 83.49, Florida Statutes 2012. In any event, the disclosure required by this act is only required for all leases entered into under this part on or after January 1, 2014.

Rep. Porter moved the adoption of the amendment, which was adopted.

Representative Rouson offered the following:

(Amendment Bar Code: 433765)

Amendment 3—Remove line 396 and insert:
days after the landlord obtains actual or constructive knowledge of the

TITLE AMENDMENT

Remove line 33 and insert:
begins upon actual or constructive knowledge; amending s. 83.575,

Rep. Rouson moved the adoption of the amendment, which failed of adoption.

Representative Rouson offered the following:

(Amendment Bar Code: 252291)

Amendment 4—Remove lines 398-408 and insert:

Section 9. Section 83.57, Florida Statutes, is amended to read:

83.57 Termination of tenancy without specific duration term.—A tenancy without a specific duration, as defined in s. 83.46(2) or (3), may be terminated by either party giving written notice in the manner provided in s. 83.56(4), as follows:

(1) When the tenancy is from year to year, by giving not less than 60 days' notice prior to the end of any annual period.;

(2) When the tenancy is from quarter to quarter, by giving not less than 30 days' notice prior to the end of any quarterly period.;

(3) When the tenancy is from month to month, by giving not less than 30 ~~45~~ days' notice prior to the end of any monthly period. However, if the tenancy is subject to tenant-based rental assistance pursuant to s. 8 of the United States Housing Act of 1937, 42 U.S.C. s. 1437f(o), as amended, the tenancy may be terminated by giving not less than 60 days' notice prior to the end of any monthly period.; ~~and~~

(4) When the tenancy is from week to week, by giving not less than 7 days' notice prior to the end of any weekly period.

Section 10. Section 83.575, Florida Statutes, is amended to read:

83.575 Termination of tenancy with specific duration.—

(1) A rental agreement with a specific duration may contain a provision requiring the tenant to notify the landlord before vacating the premises at the end of the rental agreement and requiring the landlord to notify the tenant in writing if the rental agreement will not be renewed; however, a rental agreement may not require more than 60 days' notice from the tenant or the landlord before vacating the premises.

(2) A rental agreement with a specific duration may provide that if a tenant fails to give the landlord the required notice before vacating the premises at the end of the rental agreement, the tenant may be liable for liquidated damages as specified in the rental agreement if the landlord provides written notice to the tenant specifying the tenant's obligations under the notification provision contained in the lease and the date the rental agreement is terminated. The landlord must provide such written notice to the tenant within 15 days before the start of the notification period contained in the lease. The written notice shall list all fees, penalties, and other charges applicable to the tenant under this subsection. The rental agreement must provide a reciprocal requirement that if the landlord fails to give the tenant the required notice that the rental agreement will not be renewed, the rental agreement will not terminate and the tenant will be entitled to continue occupying the premises until the landlord gives the tenant the required written notice of nonrenewal of the rental agreement and the agreement expires.

~~(3) If the tenant remains on the premises with the permission of the landlord after the rental agreement has terminated and fails to give notice~~

~~required under s. 83.57(3), the tenant is liable to the landlord for an additional 1 month's rent.~~

TITLE AMENDMENT

Remove lines 33-36 and insert:
begins upon actual knowledge; amending s. 83.57, F.S.; revising notice of termination requirements for certain tenancies without a specific duration; amending s. 83.575, F.S.; revising notice of termination requirements for certain tenancies with a specific duration; providing rental agreement requirements; deleting a provision relating to the liability of certain tenants;

Rep. Rouson moved the adoption of the amendment, which failed of adoption.

Representative Porter offered the following:

(Amendment Bar Code: 221769)

Amendment 5—Remove lines 534-560

TITLE AMENDMENT

Remove lines 48-51 and insert:
retaliate; providing an

Rep. Porter moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 171—A bill to be entitled An act relating to disposition of human remains; amending s. 382.002, F.S.; revising definitions for purposes of the Florida Vital Statistics Act; amending s. 382.006, F.S.; authorizing the Department of Health to issue burial-transit permits; amending s. 382.008, F.S.; revising procedures for the registration of certificates of death or fetal death and the medical certification of causes of death; providing a definition; amending s. 382.011, F.S.; extending the time by which certain deaths must be referred to the medical examiner for investigation; creating s. 406.49, F.S.; providing definitions; amending s. 406.50, F.S.; revising procedures for the reporting and disposition of unclaimed remains; prohibiting certain uses or dispositions of the remains of deceased persons whose identities are not known; limiting the liability of licensed funeral directors who authorize the embalming of unclaimed remains under certain circumstances; amending s. 406.51, F.S.; requiring that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations; amending s. 406.52, F.S.; revising procedures for the anatomical board's retention of human remains before their use; providing for claims by, and the release of human remains to, legally authorized persons after payment of certain expenses; authorizing county ordinances or resolutions for the final disposition of the unclaimed remains of indigent persons; limiting the liability of certain licensed persons for cremating or burying human remains under certain circumstances; amending s. 406.53, F.S.; revising exceptions from requirements for notice to the anatomical board of the death of indigent persons; deleting a requirement that the Department of Health assess fees for the burial of certain bodies; amending ss. 406.55, 406.56, and 406.57, F.S.; conforming provisions; amending s. 406.58, F.S.; requiring audits of the financial records of the anatomical board; conforming provisions; amending s. 406.59, F.S.; conforming provisions; amending s. 406.60, F.S.; authorizing certain facilities to dispose of human remains by cremation; amending s. 406.61, F.S.; revising provisions prohibiting the selling or buying of human remains or the transmitting or conveying of such remains outside the state; providing penalties; excepting accredited nontransplant anatomical donation organizations from requirements for the notification of and approval from the anatomical board for the conveyance of human remains for specified purposes; requiring that nontransplant anatomical donation organizations be accredited by a certain date; requiring that human remains received by the anatomical board be accompanied by a burial-transit permit; requiring approval by the

medical examiner and consent of certain persons before the dissection, segmentation, or disarticulation of such remains; prohibiting the offer of any monetary inducement or other valuable consideration in exchange for human remains; providing a definition; deleting an expired provision; conforming provisions; amending s. 497.005, F.S.; revising a definition for purposes of the Florida Funeral, Cemetery, and Consumer Services Act; amending s. 497.382, F.S.; revising certain reporting requirements for funeral establishments, direct disposal establishments, cinerator facilities, and centralized embalming facilities; amending s. 497.607, F.S.; providing requirements for the disposal of unclaimed cremated remains by funeral or direct disposal establishments; limiting the liability of funeral or direct disposal establishments and veterans' service organizations related to the release of information required to determine the eligibility for interment in a national cemetery of the unclaimed cremated remains of a veteran; providing definitions; amending s. 765.513, F.S.; revising the list of donees who may accept anatomical gifts and the purposes for which such a gift may be used; repealing s. 406.54, F.S., relating to claims of bodies after delivery to the anatomical board; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 7003—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; repealing s. 3 of ch. 2010-52, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., relating to the compact; providing for future legislative review and repeal of the compact; providing for payment of annual dues for the compact; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 15—A bill to be entitled An act relating to protest activities; creating s. 871.015, F.S.; providing definitions; prohibiting engaging in protest activities within a specified distance of the property line of the location of a funeral, burial, or memorial service; providing criminal penalties; providing an effective date.

—was read the second time by title.

Representative Rooney offered the following:

(Amendment Bar Code: 458825)

Amendment 1 (with title amendment)—Remove lines 15-27 and insert:

(a) "Funeral or burial" means a service or ceremony offered or provided in connection with the final disposition, memorialization, interment, entombment, or inurnment of human remain or cremated human remains.

(b) "Funeral procession" has the same meaning as provided in s. 316.1974.

(c) "Protest activities" means any action, including picketing, which is undertaken with the intent to interrupt or disturb a funeral or burial.

(2) A person may not knowingly engage in protest activities or knowingly cause protest activities to occur within 500 feet of the property line of a residence, cemetery, funeral home, house of worship, or other location during or within 1 hour before or 1 hour after the conducting of a funeral or burial at that place. This subsection does not prohibit protest activities that occur adjacent to that portion of a funeral procession which extends beyond 500 feet of the property line of the location of the funeral or burial.

TITLE AMENDMENT

Remove lines 2-7 and insert:

An act relating to funerals and burials; creating s. 871.015, F.S.; providing definitions; prohibiting engaging in protest activities within specified distance of the property line of the location of a funeral or burial; providing an exception; providing criminal penalties; providing an effective date.

Rep. Rooney moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7059—A bill to be entitled An act relating to driver licensing; amending s. 322.04, F.S.; revising provisions for exemption from obtaining a driver license issued by this state; removing a requirement that certain nonresidents possess an International Driving Permit; providing that a nonresident of a certain age possessing a valid noncommercial driver license issued outside this state may operate a noncommercial motor vehicle in this state; providing for retroactive application; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 9—A bill to be entitled An act relating to involuntary examinations under the Baker Act; amending s. 394.463, F.S.; authorizing physician assistants and advanced registered nurse practitioners to initiate involuntary examinations under the Baker Act of persons believed to have mental illness; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Motion to Adjourn

Rep. Crisafulli moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene at 4:30 p.m., Wednesday, March 13, 2013, or upon call of the Chair. The motion was agreed to.

Cosponsors

HB 3—Albritton, Goodson, Passidomo, Taylor

CS/HB 13—Hager, Hooper, Perry, A. Williams

HB 15—Coley, O'Toole, Steube

CS/HB 39—Richardson

CS/CS/HB 55—Patronis

CS/CS/HB 73—Passidomo

CS/HB 115—Gaetz

HB 133—Rehwinkel Vasilinda

HB 191—Hood

CS/HB 215—Harrell, O'Toole, Pafford

CS/HB 239—Artiles

HB 259—Reed, Rehwinkel Vasilinda, Schwartz, Waldman

HB 301—Baxley, McBurney, Powell, Taylor

HB 315—Campbell

CS/HB 317—Campbell

CS/CS/HB 333—Mayfield

HB 383—Santiago

HB 387—Campbell

HB 391—Ahern, R. Rodrigues

HB 411—Berman, Pritchett

CS/HB 413—Hood, La Rosa, Raulerson

HB 539—Cummings, Raulerson

HB 555—Ahern

HB 585—Van Zant

HB 619—Baxley, Mayfield

HB 653—Berman, Danish, Edwards, Fullwood, Moskowitz, Pafford, Pritchett, Rehwinkel Vasilinda, Rouson, Stewart, Waldman, A. Williams

HB 663—Porter

HB 669—Stewart

HB 671—Tobia

HB 689—Hood, S. Jones

HB 701—R. Rodrigues

HM 753—Rangel

HB 757—Van Zant

HB 785—Van Zant

HB 801—Passidomo

HB 851—Harrell, Pilon

HB 927—Edwards, Pilon

HB 951—Davis, Gonzalez

HB 953—Van Zant

HB 999—Hager, Pilon

HB 1049—Taylor

HB 1097—Raburn

HM 1187—Caldwell, Gaetz

HB 1231—Tobia

HB 1233—Cruz

HB 1325—Pilon

HB 1391—Hutson

HB 1401—Castor Dentel

HB 4023—Campbell, S. Jones, J. Rodríguez

HB 4033—Mayfield

HR 9005—Edwards, Fitzenhagen, Hood, S. Jones, Kerner, Pafford, Raulerson, Rehwinkel Vasilinda

Introduction and Reference

By the Criminal Justice Subcommittee; Representative **Gaetz**—

HJR 7081—A joint resolution proposing an amendment to Section 2 of Article V and the creation of a new section in Article XII of the State

Constitution to require the procedures for postconviction or collateral review of capital cases resulting in a sentence of death to be governed exclusively by, and to the extent provided by, general law, and to provide an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal Justice Subcommittee; Representative **Gaetz**—

HB 7083—A bill to be entitled An act relating to postconviction capital case proceedings; providing a short title; amending s. 27.40, F.S.; providing that counsel is not required to be appointed in clemency proceedings filed by persons sentenced to death; amending s. 27.51, F.S.; removing the trial court's authority to appoint the public defender to represent a person sentenced to death in clemency proceedings; amending s. 27.51, F.S.; contingent upon adoption of a specified constitutional amendment, replacing a reference to a rule of criminal procedure with a reference to a statute; amending s. 27.511, F.S.; removing the trial court's authority to appoint the office of criminal conflict and civil regional counsel or other attorney to represent a person sentenced to death in clemency proceedings; amending s. 27.511, F.S.; replacing a reference to a rule of criminal procedure with a reference to a statute; amending s. 27.5303, F.S.; removing a court's authority to appoint the public defender or other attorney to represent a person sentenced to death in clemency proceedings; amending s. 27.5304, F.S., specifying that a person may be compensated for representing a person sentenced to death who submits an application for executive clemency before July 1, 2013; repealing s. 27.701(2), F.S., relating to a pilot project using registry attorneys to provide capital collateral counsel services in the northern region of the Capital Collateral Regional Counsel; reenacting s. 27.702(1), F.S., relating to duties of capital collateral regional counsel; amending s. 27.702, F.S.; conforming provisions to changes made by the act; amending s. 27.703, F.S.; requiring the court to hold a hearing when a conflict of interest in a postconviction capital case proceeding is alleged; amending s. 27.708, F.S.; specifying that postconviction capital case attorneys comply with statutory requirements; amending s. 27.7081, F.S.; providing definitions; establishing procedures for public records production in postconviction capital cases proceedings; amending s. 27.7091, F.S.; deleting language recommending that the Florida Supreme Court adopt certain rules relating to postconviction capital case proceedings; amending s. 27.711, F.S.; deleting obsolete language relating to the northern regional office of the capital collateral regional counsel; amending s. 27.711, F.S., removing references to rules of criminal procedure that relate to postconviction capital case proceedings; amending s. 922.095, F.S.; specifying that postconviction claims in capital cases that are not pursued within statutory time limits are barred; reenacting s. 922.108, F.S.; relating to requirements for orders for a sentence of death may not specify any particular method of execution; amending s. 924.055, F.S.; revising legislative intent regarding postconviction proceedings in capital cases; amending s. 924.056, F.S.; establishing procedures for initial postconviction motions in capital cases; providing time limits for motions; specifying contents; providing for hearings; amending s. 924.057, F.S.; providing that postconviction proceedings in capital cases in which conviction and sentence of death have been affirmed on direct appeal before July 1, 2015, are governed by the rules and laws in effect before that date; deleting language concerning cases before the effective date of a prior act; amending s. 924.058, F.S.; establishing procedures for successive postconviction motions in capital cases; specifying contents; providing for hearings and procedures; creating s. 924.0581, F.S.; establishing procedures for the appeal of capital case postconviction motions to the Florida Supreme Court; creating s. 924.0585, F.S.; requiring the Florida Supreme Court to annually report certain information regarding capital postconviction cases to the Legislature; requiring courts to report specified findings of ineffective assistance of counsel to The Florida Bar; requiring The Florida Bar to annually report to the Legislature certain information about attorneys found to have provided ineffective assistance; amending s. 924.0585, F.S.; specifying that capital postconviction actions filed in violation of statutory timeframes are barred and claims raised therein waived; amending s. 924.059, F.S.; requiring the court to hold a hearing when a conflict of interest in a postconviction capital

case proceeding is alleged; providing timeframes relating to such hearing; creating s. 924.0591, F.S.; establishing procedures for capital case postconviction proceedings when a prisoner is incompetent to proceed; creating s. 924.0592, F.S.; establishing procedures for capital case postconviction proceedings after a death warrant has been issued; creating s. 924.0593, F.S.; establishing procedures for capital case postconviction proceedings when a prisoner is insane at the time of scheduled execution; creating s. 924.0594, F.S.; establishing procedures for capital case postconviction proceedings when a prisoner seeks to dismiss postconviction proceedings and postconviction counsel; providing for severability; providing effective dates and a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Government Operations Subcommittee; Representative **Raulerson**—

HB 7085—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 765.51551, F.S., which provides an exemption from public record requirements for information held in the statewide organ and tissue donor registry that identifies a donor to the registry; removing the scheduled repeal of the exemption; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative **Cruz**—

HR 9011—A resolution honoring the life and accomplishments of Justice Frederick Brennan Karl, Esquire.

First reading by publication (Art. III, s. 7, Florida Constitution).

First Reading of Committee and Subcommittee Substitutes by Publication

By the Business & Professional Regulation Subcommittee; Representatives **Hooper** and **Stewart**—

CS/HB 45—A bill to be entitled An act relating to vehicle permits for the transportation of alcoholic beverages; amending s. 561.57, F.S.; authorizing a licensed vendor to transport alcoholic beverages from a distributor's place of business in vehicles owned or leased by any person who has been disclosed on a license application filed by the vendor and approved by the Division of Alcoholic Beverages and Tobacco of the Department and Business and Professional Regulation; revising permit requirements for such vehicles; providing for cancellation of vehicle permits; authorizing the inspection and search of such vehicles without a search warrant; providing requirements for the use and storage of vehicle permits; amending s. 562.07, F.S.; revising an exception to the illegal transportation of beverages; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Government Operations Subcommittee; Representatives **Steube**, **Pilon**, and **A. Williams**—

CS/HB 85—A bill to be entitled An act relating to public-private partnerships; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or improvement by private entities of facilities used predominantly for a public purpose; creating a task force to establish specified guidelines; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for interim and comprehensive agreements between a public and a private entity;

providing for use fees; providing for financing sources for certain projects by a private entity; providing powers and duties of private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements for construction, operation, ownership, and financing of transportation facilities; providing requirements and limitations for such agreements; providing procurement procedures; requiring a fee for certain proposals; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal Justice Subcommittee; Representatives **Edwards, Baxley, Berman, Fitzenhagen, Fresen, Gonzalez, Grant, Hood, S. Jones, Raschein, Rouson, Schwartz, Stewart, Van Zant, Waldman, and A. Williams**—

CS/HB 159—A bill to be entitled An act relating to sentencing for controlled substance violations; amending s. 893.135, F.S.; providing for an exception to mandatory minimum sentencing requirements for certain violators of specified controlled substance provisions; specifying criteria to qualify for an exception; providing criteria that may be considered by a court in departing for the mandatory minimum term of imprisonment; requiring a court to make certain statements if it departs from the mandatory minimum term of imprisonment; requiring a sentencing court that departs from the mandatory minimum term of imprisonment to, as part of any sentence, require the defendant to successfully complete a postadjudicatory treatment-based drug court program or sentence the defendant to drug offender probation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Justice Appropriations Subcommittee; Representative **Ray**—

CS/HB 311—A bill to be entitled An act relating to costs of prosecution, investigation, and representation; amending s. 903.286, F.S.; providing for the withholding of unpaid costs of prosecution and representation from the return of a cash bond posted on behalf of a criminal defendant; requiring a notice on bond forms of such possible withholding; amending s. 938.27, F.S.; clarifying the types of cases that are subject to the collection and dispensing of cost payments by the clerk of the court; amending s. 985.032, F.S.; providing for assessment of costs of prosecution against a juvenile who has been adjudicated delinquent or has adjudication of delinquency withheld; amending s. 985.455, F.S.; providing that a child adjudicated delinquent may perform community service in lieu of certain costs and fees; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; and Health Quality Subcommittee; Representatives **Hudson, Ahern, Albritton, Brodeur, Caldwell, Gibbons, Hooper, Hutson, Oliva, Peters, and Raulerson**—

CS/CS/HB 365—A bill to be entitled An act relating to pharmacy; amending s. 465.019, F.S.; permitting a class II institutional pharmacy formulary to include biologics, biosimilars, and biosimilar interchangeables; creating s. 465.0252, F.S.; providing definitions; providing requirements for a pharmacist to dispense a substitute biological product that is determined to be biosimilar to and interchangeable for the prescribed biological product; providing notification requirements for a pharmacist in a class II or modified class II institutional pharmacy; requiring the Board of Pharmacy to maintain a current list of interchangeable biosimilar products; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Choice & Innovation Subcommittee; Representative **Adkins**—

CS/HB 441—A bill to be entitled An act relating to juvenile justice education programs; amending s. 985.622, F.S.; revising provisions to be included in the multiagency education plan for students in juvenile justice education programs, including virtual education as an option; amending s. 985.632, F.S.; requiring the Department of Juvenile Justice to provide cost and effectiveness information for program and program activities to the Legislature and the public; deleting legislative intent language; requiring implementation of an accountability system to ensure client needs are met; requiring the department and Department of Education to submit an annual report that includes data on program costs and effectiveness and student achievement and recommendations for elimination or modification of programs; amending s. 1001.31, F.S.; authorizing instructional personnel at all juvenile justice facilities to access specific student records at the district; amending s. 1003.51, F.S.; revising terminology; revising requirements for rules to be maintained by the State Board of Education; providing expectations for effective education programs for students in Department of Juvenile Justice programs; revising requirements for contract and cooperative agreements for the delivery of appropriate education services to students in Department of Juvenile Justice programs; requiring the Department of Education to ensure that juvenile justice students who are eligible have access to high school equivalency testing and assist juvenile justice education programs with becoming high school equivalency testing centers; revising requirements for an accountability system all juvenile justice education programs; revising requirements to district school boards; amending s. 1003.52, F.S.; revising requirements for activities to be coordinated by the coordinators for juvenile justice education programs; authorizing contracting for educational assessments; revising requirements for assessments; authorizing access to local virtual education courses; requiring that an education program shall be based on each student's transition plan and assessed educational needs; providing requirements for prevention and day treatment juvenile justice education programs; requiring progress monitoring plans for all students not classified as exceptional student education students; revising requirements for such plans; requiring that the Department of Education, in partnership with the Department of Juvenile Justice, ensure that school districts and juvenile justice education providers develop individualized transition plans; providing requirements for such plans; providing that the Secretary of Juvenile Justice or the director of a juvenile justice program may request that a school district teacher's performance be reviewed by the district and that the teacher be reassigned in certain circumstances; correcting a cross-reference; requiring the Department of Education to establish by rule objective and measurable student performance measures and program performance ratings; providing requirements for such ratings; requiring a comprehensive accountability and program improvement process; providing requirements for such a process; deleting provisions for minimum thresholds for the standards and key indicators for education programs in juvenile justice facilities; deleting a requirement for an annual report; requiring data collection; deleting provisions concerning the Arthur Dozier School for Boys; requiring rulemaking; amending s. 1001.42, F.S.; revising terminology; revising a cross-reference; providing a directive to the Division of Law Revision and Information; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Choice & Innovation Subcommittee; Representatives **Rooney, Ahern, Baxley, Berman, M. Diaz, S. Jones, McGhee, Metz, Passidomo, Rhewinkel Vasilinda, Spano, and Stone**—

CS/HB 461—A bill to be entitled An act relating to deaf and hard-of-hearing students; amending s. 1003.55, F.S.; requiring the Department of Education to develop a model communication plan to be used in the development of an individual education plan for deaf or hard-of-hearing students; requiring the department to disseminate the model to each school district and provide technical assistance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal Justice Subcommittee; Representative **Pilon**—

CS/HB 617—A bill to be entitled An act relating to juvenile justice circuit advisory boards and juvenile justice county councils; amending s. 985.664, F.S.; redesignating juvenile justice circuit boards as juvenile justice circuit advisory boards; requiring each board to have a county organization representing each county in the circuit; providing an exception for single-county circuits; deleting provisions providing for juvenile justice county councils; revising provisions relating to duties and responsibilities of boards; requiring submission of circuit plans by specified dates; revising membership of boards; providing for appointment and terms of members; providing for quorums and for passage of measures or positions; revising provisions relating to bylaws; amending ss. 790.22, 938.17, 948.51, 985.48, and 985.676, F.S.; conforming provisions to changes made by the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance & Banking Subcommittee; Representative **Edwards**—

CS/HB 635—A bill to be entitled An act relating to insurance; amending s. 215.555, F.S.; revising the date of the future repeal of an exemption of medical malpractice insurance premiums from emergency assessments imposed to fund certain obligations, costs, and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation; amending s. 316.646, F.S.; authorizing a uniform motor vehicle proof-of-insurance card to be in an electronic format; providing construction with respect to the parameters of a person's consent to access information on an electronic device presented to provide proof of insurance; providing immunity from liability to a law enforcement officer for damage to an electronic device presented to provide proof of insurance; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 320.02, F.S.; authorizing insurers to furnish uniform proof-of-purchase cards in an electronic format for use by insureds to prove the purchase of required insurance coverage when registering a motor vehicle; amending s. 554.1021, F.S.; defining the term "authorized inspection agency"; amending s. 554.107, F.S.; requiring the chief inspector of the state boiler inspection program to issue a certificate of competency as a special inspector to certain individuals; specifying how long such certificate remains in effect; amending s. 554.109, F.S.; authorizing specified insurers to contract with an authorized inspection agency for boiler inspections; requiring such insurers to annually report the identity of contracted authorized inspection agencies to the Department of Financial Services; amending s. 624.413, F.S.; revising a specified time period applicable to a certified examination that must be filed by a foreign or alien insurer applying for a certificate of authority; amending s. 626.0428, F.S.; requiring a branch place of business to have an agent in charge and a general lines agent or life or health agent appointed to represent one or more insurers; authorizing an agent to be in charge of more than one branch office under certain circumstances; providing requirements relating to the designation of an agent in charge; prohibiting an insurance agency from conducting insurance business at a location without a designated agent in charge; providing grounds for the Department of Financial Services to order operations to cease at certain insurance agency locations until an agent in charge is properly designated; amending s. 626.112, F.S.; providing licensure exemptions that allow specified individuals or entities to conduct insurance business at specified locations under certain circumstances; revising licensure requirements and penalties with respect to registered insurance agencies; providing that the registration of an approved registered insurance agency automatically converts to an insurance agency license on a specified date; amending s. 626.172, F.S.; revising requirements relating to applications for insurance agency licenses; conforming provisions to changes made by the act; amending s. 626.321, F.S.; providing that a limited license to offer motor vehicle rental insurance issued to a business that rents or leases motor vehicles encompasses the employees of such business; amending s. 626.382, F.S.; providing that an insurance agency license continues in force until

canceled, suspended, revoked, or terminated; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; repealing s. 626.747, F.S., relating to branch agencies, agents in charge, and the payment of additional county tax under certain circumstances; amending s. 626.8411, F.S.; conforming a cross-reference; amending s. 626.9914, F.S.; conforming a provision to changes made by the act; amending s. 626.99175, F.S.; deleting provisions requiring registration of life expectancy providers; deleting procedures, qualifying criteria, and violations with respect thereto; amending ss. 626.9919, 626.992, 626.9925, and 626.99278, F.S.; conforming provisions to changes made by the act; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to use certain models or straight averages of certain models to estimate hurricane losses when determining whether the rates in a rate filing are excessive, inadequate, or unfairly discriminatory; amending s. 627.0628, F.S.; increasing the length of time during which an insurer must adhere to certain findings made by the Commission on Hurricane Loss Projection Methodology with respect to certain methods, principles, standards, models, or output ranges used in a rate finding; providing that the requirement to adhere to such findings does not limit an insurer from using a straight average of results of certain models or output ranges under specified circumstances; amending s. 627.072, F.S.; authorizing retrospective rating plans relating to workers' compensation and employer's liability insurance to allow negotiations between certain employers and insurers with respect to rating factors used to calculate premiums; amending s. 627.281, F.S.; conforming a cross-reference; repealing s. 627.3519, F.S., relating to an annual report from the Financial Services Commission to the Legislature of aggregate net probable maximum losses, financing options, and potential assessments of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.4137, F.S.; adding licensed company adjusters to the list of persons who may respond to a claimant's written request for information relating to liability insurance coverage; amending s. 627.421, F.S.; authorizing the electronic delivery of certain insurance documents; amending s. 627.43141, F.S.; authorizing a notice of change in policy terms to be sent in a separate mailing to an insured under certain circumstances; requiring an insurer to provide such notice to insured's insurance agent; amending s. 627.7015, F.S.; revising the rulemaking authority of the department with respect to qualifications and specified types of penalties covered under the property insurance mediation program; creating s. 627.70151, F.S.; providing criteria for an insurer or policyholder to challenge the impartiality of a loss appraisal umpire for purposes of disqualifying such umpire; amending s. 627.706, F.S.; revising the definition of the term "neutral evaluator"; amending s. 627.7074, F.S.; requiring the department to adopt rules relating to certification of neutral evaluators; amending s. 627.736, F.S.; revising the time period for applicability of certain Medicare fee schedules or payment limitations; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application, or suspend or revoke approval of a mediator or certification of a neutral evaluator; authorizing the department to adopt rules; amending s. 627.952, F.S.; providing that certain persons who are not residents of this state must be licensed and appointed as nonresident surplus lines agents in this state in order to engage in specified activities with respect to servicing insurance contracts, certificates, or agreements for purchasing or risk retention groups; deleting a fidelity bond requirement applicable to certain nonresident agents who are licensed as surplus lines agents in another state; amending ss. 627.971 and 627.972, F.S.; including licensed mutual insurers in financial guaranty insurance corporations; amending s. 628.901, F.S.; revising the definition of the term "qualifying reinsurer parent company"; amending s. 628.909, F.S.; providing for applicability of certain provisions of the Insurance Code to specified captive insurers; amending s. 634.406, F.S.; revising criteria

authorizing premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance & Banking Subcommittee; Representatives **Ingram, Gonzalez, and Moraitis**—

CS/HB 675—A bill to be entitled An act relating to health insurance marketing materials; amending ss. 627.6699 and 627.9407, F.S.; deleting requirements that a health insurer submit proposed marketing communications or advertising material to the Office of Insurance Regulation for review and approval; establishing procedures for disapproval of long-term care insurance advertising materials; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance & Banking Subcommittee; Representative **Wood**—

CS/HB 835—A bill to be entitled An act relating to Citizens Property Insurance Corporation; reordering and amending s. 20.055, F.S.; revising the definition of the term "agency head" to include the Financial Services Commission for the purposes of the Citizens Property Insurance Corporation; revising the definition of the term "state agency" to include the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; providing that certain residential structures are not eligible for coverage by the corporation after specified dates; prohibiting the corporation from covering any new construction of a major structure, or substantial improvements on any major structure, commencing on or after July 1, 2014, that is seaward of the coastal construction control line or is within the Coastal Barrier Resources System; restricting the eligibility of a risk for a renewal policy issued by the corporation under certain circumstances; authorizing insurers taking out, assuming, or removing policies from the corporation to use the corporation's policy forms and endorsements for a specified time without approval by the Office of Insurance Regulation; authorizing the corporation to adopt policy forms that allow the corporation to replace or repair covered damage in lieu of paying the value of the loss; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Choice & Innovation Subcommittee; Representative **Fresen**—

CS/HB 1033—A bill to be entitled An act relating to public school classroom teachers; amending s. 1012.71, F.S.; renaming the Florida Teachers Lead Program as the Florida Teachers Classroom Supply Assistance Program; providing for local contributions to the program; requiring identification of debit cards used as a method of payment to teachers; authorizing public-private partnerships to increase the total amount of funds available; deleting obsolete provisions; amending s. 1012.05, F.S.; conforming provisions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

CS/HB 39—Referred to the Government Operations Appropriations Subcommittee and Regulatory Affairs Committee.

CS/HB 109—Referred to the Calendar of the House.

CS/CS/HB 113—Referred to the Judiciary Committee.

CS/HB 165—Referred to the Economic Affairs Committee and Appropriations Committee.

CS/HB 267—Referred to the Judiciary Committee.

CS/HB 307—Referred to the Local & Federal Affairs Committee; Government Operations Appropriations Subcommittee; and State Affairs Committee.

CS/HB 415—Referred to the Local & Federal Affairs Committee and Economic Affairs Committee.

CS/HB 531—Referred to the Economic Affairs Committee.

CS/HB 573—Referred to the Government Operations Appropriations Subcommittee and Regulatory Affairs Committee.

CS/HB 575—Referred to the Business & Professional Regulation Subcommittee and Judiciary Committee.

CS/HB 579—Referred to the Finance & Tax Subcommittee; Appropriations Committee; and Regulatory Affairs Committee.

CS/HB 583—Referred to the Insurance & Banking Subcommittee; Justice Appropriations Subcommittee; and Judiciary Committee.

CS/HB 649—Referred to the Government Operations Subcommittee and Regulatory Affairs Committee.

CS/HB 655—Referred to the Calendar of the House.

CS/HB 659—Referred to the Agriculture & Natural Resources Appropriations Subcommittee and State Affairs Committee.

CS/HB 665—Referred to the Government Operations Appropriations Subcommittee and Regulatory Affairs Committee.

CS/HB 707—Referred to the Agriculture & Natural Resources Appropriations Subcommittee and State Affairs Committee.

CS/HB 713—Referred to the Agriculture & Natural Resources Appropriations Subcommittee and State Affairs Committee.

CS/HB 827—Referred to the Judiciary Committee.

CS/HB 867—Referred to the Education Appropriations Subcommittee and Education Committee.

HB 7065—Referred to the Appropriations Committee.

House Resolution Adopted By Publication

At the request of Rep. Reed—

HR 9005—A resolution recognizing the month of March 2013 as "Women's History Month."

WHEREAS, women have made historic contributions to the growth and strength of this state in countless recorded and unrecorded ways, and

WHEREAS, women have played and continue to play a critical economic, cultural, and social role in every sphere of life by constituting a significant portion of the labor force working inside and outside the home, and

WHEREAS, women have played a unique role throughout the history of the nation through continual, active participation in the volunteer labor force and were particularly important in the establishment of early charitable, philanthropic, and cultural institutions, and

WHEREAS, women of every race, class, and ethnic background served as early leaders in the forefront of major progressive movements to improve society, and

WHEREAS, women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the industrial labor movement, the civil rights movement, the

environmental justice movement, and other social justice campaigns, especially the peace movement, creating a more fair and just society for all, and

WHEREAS, in recognition of the contributions of women, Congress has passed a resolution each year since 1987 designating the month of March as "Women's History Month," and

WHEREAS, the theme of Women's History Month in 2013 is "Women Inspiring Innovation through Imagination," and the month of March presents special opportunities to celebrate the wisdom and tenacity of generations of women who have come before us and those who will follow and to acknowledge the courage, determination, and steadfastness needed to move history forward, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That March 2013 is recognized as "Women's History Month" and the residents of this state are called upon to observe this and every March by participating in programs, ceremonies, and activities to foster an awareness of and appreciation for the contributions made by women that have benefited and improved society.

—was read and adopted by publication pursuant to Rule 10.17.

Reports of Standing Committees and Subcommittees

Received March 11:

The Business & Professional Regulation Subcommittee reported the following favorably:

HB 45 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 45 was laid on the table.

The Government Operations Subcommittee reported the following favorably:

HB 85 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 85 was laid on the table.

The Business & Professional Regulation Subcommittee reported the following favorably:

CS/HB 175

The above committee substitute was transmitted to the next committee or subcommittee of reference, the Judiciary Committee.

The Insurance & Banking Subcommittee reported the following favorably:

CS/HB 229

The above committee substitute was transmitted to the next committee or subcommittee of reference, the Judiciary Committee.

The Insurance & Banking Subcommittee reported the following favorably:

HB 635 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 635 was laid on the table.

The Insurance & Banking Subcommittee reported the following favorably:

HB 675 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 675 was laid on the table.

The Insurance & Banking Subcommittee reported the following favorably:

HB 835 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 835 was laid on the table.

Received March 12:

The Government Operations Subcommittee reported the following favorably:

HB 23 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 23 was laid on the table.

The Health Care Appropriations Subcommittee reported the following favorably:

CS/HB 115

The above committee substitute was transmitted to the next committee or subcommittee of reference, the Health & Human Services Committee.

The Criminal Justice Subcommittee reported the following favorably:

HB 159 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 159 was laid on the table.

The Education Appropriations Subcommittee reported the following favorably:

CS/HB 189

The above committee substitute was transmitted to the next committee or subcommittee of reference, the Education Committee.

The Health Quality Subcommittee reported the following favorably:

HB 241

The above bill was transmitted to the next committee or subcommittee of reference, the Health Care Appropriations Subcommittee.

The Government Operations Appropriations Subcommittee reported the following favorably:

CS/HB 269

The above committee substitute was transmitted to the next committee or subcommittee of reference, the Regulatory Affairs Committee.

The Energy & Utilities Subcommittee reported the following favorably:

HB 277

The above bill was transmitted to the next committee or subcommittee of reference, the Finance & Tax Subcommittee.

The Justice Appropriations Subcommittee reported the following favorably:

HB 311 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 311 was laid on the table.

The Health & Human Services Committee reported the following favorably:

CS/HB 365 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 365 was laid on the table.

The Choice & Innovation Subcommittee reported the following favorably:

HB 369

The above bill was transmitted to the next committee or subcommittee of reference, the Local & Federal Affairs Committee.

The Choice & Innovation Subcommittee reported the following favorably:

HB 441 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 441 was laid on the table.

The Choice & Innovation Subcommittee reported the following favorably:

HB 461 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 461 was laid on the table.

The Choice & Innovation Subcommittee reported the following favorably:

HB 525

The above bill was transmitted to the next committee or subcommittee of reference, the Civil Justice Subcommittee.

The Transportation & Economic Development Appropriations Subcommittee reported the following favorably:

CS/HB 563

The above committee substitute was transmitted to the next committee or subcommittee of reference, the Economic Affairs Committee.

The Criminal Justice Subcommittee reported the following favorably:

HB 617 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 617 was laid on the table.

The Health Quality Subcommittee reported the following favorably:

HB 671

The above bill was transmitted to the next committee or subcommittee of reference, the Health & Human Services Committee.

The Criminal Justice Subcommittee reported the following favorably:

HB 757

The above bill was transmitted to the next committee or subcommittee of reference, the Healthy Families Subcommittee.

The Energy & Utilities Subcommittee reported the following favorably:

HB 807

The above bill was transmitted to the next committee or subcommittee of reference, the Finance & Tax Subcommittee.

The Choice & Innovation Subcommittee reported the following favorably:

HB 1033 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 1033 was laid on the table.

Excused

Rep. Ford

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 5:09 p.m., to reconvene at 4:30 p.m., Wednesday, March 13, 2013, or upon call of the Chair.

JOINT SESSION

Pursuant to **HCR 8300**, the members of the Senate, escorted by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House, were seated in the Chamber. The President and President Pro Tempore joined the Speaker and Speaker *pro tempore* at the rostrum. The Secretary joined the Clerk at the front desk.

Arrival of the Lieutenant Governor and Cabinet

The Honorable Jennifer S. Carroll, Lieutenant Governor; the Honorable Pam Bondi, Attorney General; the Honorable Jeffrey H. "Jeff" Atwater, Chief Financial Officer; and the Honorable Adam H. Putnam, Commissioner of Agriculture and Consumer Services, members of the Cabinet, were escorted into the Chamber by the Sergeant at Arms of the House and seated.

Arrival of Supreme Court

Chief Justice Ricky Polston, Justice Barbara J. Pariente, Justice Charles T. Canady, and Justice Jorge Labarga, members of the Supreme Court, were escorted into the Chamber by the Sergeant at Arms of the Senate and seated.

The Speaker presented the gavel to the Honorable Don Gaetz, President of the Senate, asking him to preside over the Joint Session.

THE PRESIDENT OF THE SENATE PRESIDING

A quorum of the Joint Session was declared present.

Prayer

The following prayer was offered by the Honorable Larry Lee, Jr.:

Before I pray—last night I ran into the Speaker at an occasion, and I asked him, "If the Lord leads me to make a statement, is it OK?" And he said, "Go where the Spirit leads you." So, before I pray today, I want to tell you a story. And this is a story about an old man who was troubled by what he was seeing happening in our schools across the country to little kids.

And he asked God, "God, if You are the true and living and loving God that You say that You are, how could You allow these innocent, little children to die?" God responded that, "I was once in those schools, but you took me out." Friends, today, I want many of you just to think back when you were in school. There were two things that we did before we started the day—we prayed and we pledged allegiance to the flag. I thank God we still honor that tradition here in the House. Let us pray. [applause]

Dear God, we come together today. Let us be unified as we work to make Florida the best it can be. Regardless of the differences of opinions we may bring, help us to remember that we are all Floridians sent here to represent the citizens of this great state. Whatever we do while serving, let it be to glorify You, God, and improve the lives of all the citizens of Florida. Today, I ask You to protect and bless each member of the Senate, the House of Representatives, their staff, and all that are here in Tallahassee working to make this state great.

Finally, I ask each of us to make this 2013 Legislative Session become a model for other states to see the possibilities of what can happen if we work together. May God bless us and be with us. In Jesus name, we pray. Amen.

Pledge

The members of the Joint Session, led by President Pro Tempore Garrett Richter and House Speaker *pro tempore* Marti Coley, pledged allegiance to the flag.

Committee to the Governor

On motion by Rep. Gaetz, the President appointed Senators Stargel (Co-Chair), Bradley, Thompson, Simpson, and Clemens, and on behalf of the Speaker, appointed Reps. Crisafulli (Co-Chair) Corcoran, Oliva, Rouson, M. Jones, and Williams as a joint committee to notify the Governor that the Legislature had assembled to receive his message. The committee retired to execute its responsibility. The committee was accompanied by the Sergeant at Arms of the House.

Introduction of Special Guests

President Gaetz recognized the following guests: First Lady of the Florida House, Mrs. Courtney Weatherford; [standing ovation] and First Lady of the Senate, Mrs. Vicky Gaetz. [standing ovation]

Presentation of the Governor

Upon announcement by the Sergeant at Arms of the House, the committee escorted Governor Scott to the rostrum. [standing ovation]

President Gaetz presented Governor Scott. [applause]

Governor's Address

Governor Scott: Thank you very much. First off, it's a real honor to be here. I didn't know Governor Graham was going to be here, so it's nice to see you here. We saw each other the other day—somewhere in the country—in a hotel room. As I was leaving he was coming in, so it's nice to see you. I'm glad you're here.

All right, I want to especially thank President Gaetz—President of the Senate Don Gaetz and Speaker of the House Will Weatherford. These are men of great faith and they're devoted to helping Florida families. Like everyone in this Chamber, they are committed to helping our state and investing in future generations. They are my partners; they are my friends; and they are committed public servants. [applause] Lieutenant Governor Jennifer Carroll, thank you very much for all your tireless work each and every day. Thank you very much. [applause] I'd like to also thank the Supreme Court, Chief Justice Ricky Polston, and the other members of the court. It's nice to see you. [applause] Attorney General Pam Bondi, Agriculture Commissioner Adam Putnam, and Chief Financial Officer Jeff Atwater. [applause]

I also want to thank the love of my life and my beautiful wife of now 40 years, Ann, for being here. [standing ovation] My daughters, Allison and Jordan, and my son-in-law, Jeremy, are also here today. And Ann and I are very proud because both of our daughters are now expecting new additions

this year. [applause] And for a repeat performance, my 15-month old grandson is here, Auguste—who is now falling asleep. This is the best job of being a grandpa. I love being a grandpa. [applause]

This is now the third time I have had the opportunity to address you to report on the state of the great state of Florida. And after two years of hard work, this update can be summed up in two words: It's working. [applause] Two years ago, we met facing crippling debt, record-high unemployment, and a downward spiral of job losses. Today, because of the tireless work of the men and women in this room, our businesses are creating hundreds of thousands of jobs, and our unemployment rate is now down nearly to the national average, and we aren't stopping here. It's working. [applause]

Two years ago, we knew we'd been called here to make the difficult choices to help Florida families get back to work. Together, we faced those challenges head on. We cut taxes. We eliminated thousands of regulations on job creators. We paid down state debt for two years in a row. We invested in priorities like education. And now, our economy is on the rebound. It's working. [applause]

Because we made the hard choices over the last two years, we are able to make the smart choices now to keep our economy growing. We have a projected budget surplus for the first time in six years. [applause] Our challenges are different in this budget, but the goal is absolutely the same. The goal is economic growth and job creation. This year, we have two priorities to keep our economy growing. First, remove the sales tax on manufacturing equipment. And second, invest in our teachers by providing them a well-deserved pay raise. [applause]

Our Florida Families First budget supports these priorities while maintaining substantial reserves. This is responsible stewardship of taxpayer money. Washington D.C. could learn a few budget lessons from Florida. [applause] The contrast between our state and the nation's capital is remarkable. Now is not the time to turn back to the legacy of taxing and borrowing that crippled the economy we inherited two years ago. We must stay the course for economic growth and job creation.

When I ran for Governor—as you all know—it was the first time I'd ever run for any elected office. I spent a career in business, not politics. I knew that our primary job was to move Florida's economy out of the red and into the black. We needed to cut spending, pay down debt, support job-creators. What we needed to do then was simple, and in many ways remains the same today. Why we need to do it is even more clear, and personal, to me now more than ever.

As many of you know, Ann and I both lost parents this last year. My mother, Esther, was one of the only constants in my life. Even after I moved away from home and joined the Navy, we communicated every week. We would write letters and talk on the phone if we could, but we never let a week go by without being in touch. I am absolutely grateful for the lessons I learned from my parents' sacrifices. They often had trouble making ends meet, so we moved for them to find work. I remember when my mom would take extra jobs—like ironing—just so we could buy groceries. In spite of my mom's struggles, including getting a divorce from my birth father at a young age and almost putting me up for adoption, my mom was an incredible optimist. She was an encourager. She told us to dream big.

My mom never went to college, but for her own children, getting an education—a great education—was not an option. Our education was so important to my mom. She didn't just talk about it, she showed up. My mom somehow made it to every one of my graduations, even when it meant she had to travel far away. I don't know how she found the money, but she came to freezing Chicago for my boot camp graduation, and Dallas for law school graduation. My mom—the wife of a WWII veteran—had a simple formula for raising kids. We had to go to church, a lot, do well in school, get a job. She taught us that in America, hard work plus sacrifice meant you could live any dream you wanted. You could make your American dream come true. The

longer I live, the more I'm convinced that my Mom was right—not just for our family, but for every family.

Why are we so focused on creating jobs and improving education? Why do we put Florida families first in our budget? Because every Florida family wants not just to dream, they want the opportunity to make sure their dreams can come true. Like my mom's formula, our formula this session is simple. We must invest in our education system, support our teachers, cut taxes to help create more jobs. Our work to cut spending and live within our means over the last two years has allowed us to once again invest in education. The workers of tomorrow are in Florida classrooms today. When I first stood before you in 2011, I said, "The single most important factor in student learning is the quality of teaching." Since that time, we eliminated teacher tenure. We signed performance pay into law, and it will take effect in 2014. [applause]

Florida's education system is making tremendous progress, due in large part to our great teachers and the work begun by Governor Bush and many in this legislature. Our students and teachers were recently ranked sixth for educational quality. Our fourth-graders scored among the highest in the world on a recent reading evaluation. Accountability is working. [applause] The best way we can build on this progress is to reward our hard-working teachers with a \$2,500 pay raise. [applause] Some say they are afraid raises to all teachers may mean that a teacher doing a bad job gets rewarded. But, thanks to our work, we are now in a better position than ever before to reward good teachers and move bad teachers out of the classroom. We don't want a war on teachers; we want a war on failure. [applause]

Teachers change lives. Greco Middle School teacher Elizabeth Heli is here today from Tampa. Will you please stand? [applause] Elizabeth began her career as an engineer, but she decided she wanted to share her passion for science by teaching it. Thank you very much. [applause] Orange County School District Superintendent Barbara Jenkins is also here. Barbara will you please stand? [applause] We need to honor you for your commitment to the teachers in your district and your dedication to student achievement. Thank you, Elizabeth and Barbara, for the work you do to help make dreams come true for the next generations of Floridians.

I'd like all of you to stop and think for a second. Think about your favorite teacher. We all had a favorite teacher. Like me, you're all probably here because some teacher believed in you—it was probably that favorite teacher. So I'd like everyone to please stand now in honor of that great, favorite teacher. [standing ovation]

In total, our budget increases K-12 education funding by more than \$1.2 billion. This billion dollar commitment builds on our billion dollar investment in K-12 education last year. Our total education investment of 10.7 billion in state funding for K-12 this year is the highest state funding level in Florida history. This represents an increase of more than \$400 in per student funding over the current fiscal year. I'm asking for your help to make this historic commitment to education funding a reality for Florida families.

Getting a great education helps dreams come true, and those dreams are almost always jobs. That is why our formula for success focuses on education and jobs. Two years ago, Florida was losing jobs and many Florida families were losing their dreams. In the four years before I took office, Florida lost more than 825,000 jobs. Unemployment more than tripled from 3.5 to 11.1 over those four years. State debt increased over those four years by \$5.2 billion. Our housing market had collapsed. Our economy was off track. Florida families were hurting. The shortsighted policies of borrowing on our future had led to disaster. Together, we fought to cut spending, cut taxes, and pay down debt.

Our unemployment rate has now dropped by more than 3 percentage points from two years ago—the second biggest drop in the country. [applause] We are now at 7.9 percent—barely above the national average—and we're at a four-year low for Florida. And, we aren't stopping there. [applause] We have cut state debt by \$2 billion. Housing starts are up and consumer

confidence is rebounding. Our economy has created around 200,000 new private sector jobs in the last two years, meaning that thousands of Florida families now have the opportunity to live their dreams. It's working. [applause]

We came into office saying we wanted to create an environment that would encourage businesses to add 700,000 jobs over seven years. When I took office two years ago, the debate was about whether or not that was even possible. Now, there is a debate about how to count all the jobs being created and who should get credit for it. Maybe it's because I am not a politician, but I think this is a great debate to have. It celebrates the fact that our economy is once again creating jobs. [applause] And, as Ronald Reagan said, "there is no limit to what you can accomplish if you don't care who gets the credit." [applause]

As long as even one Florida family needs a job, our work is not done. That's why we are committed to removing the sales tax on manufacturing equipment. Florida is one of only a few states with this tax, and we lag behind the nation in per capita manufacturing jobs. We need to level the playing field to compete for manufacturing jobs. There's some great Florida manufacturing leaders here with us today. We are honored to have Wes Bush, Chairman and CEO of Northrop Grumman, here. Less than 24 hours ago, his company made a major announcement that they will be adding more than 1,000 new jobs in Florida. [applause] Wes, thank you for your great confidence in our state and our workers. Also, President of Johnson & Johnson Vision Care, Dave Brown, is also here from Jacksonville. [applause] And Goya Foods President Frank Unanue is here from Miami. [applause]

Manufacturing has a major impact on our economy. Every manufacturing job supports two to three other jobs in our state. Companies like Northrop Grumman, Johnson & Johnson, and Goya show how manufacturing businesses, combined with Florida's great location and 15 seaports, means more jobs for Florida families. Bill Johnston, Director of the Port of Miami and Chairman of the Florida Ports Council, is also here. [applause] When the Miami port dredge project is completed, along with the Panama Canal expansion, thousands of new jobs will be created. So, Wes, Dave, Frank, and Bill, thank you very much for your commitment to building jobs in the great state of Florida. Thank you very much.

Not having a job is devastating to a family. I remember when my parents couldn't find work. I remember when my dad had his car repossessed. The most important thing to a family is having a job. Everything we have done over the last two years has been geared toward job creation. And, I want to stress again, it's working. [applause] This year, we are also proposing that we continue to roll back the business tax exemption by exempting 2,000 more small businesses from having to pay the business tax. If we are successful, we will have removed the business tax from 70 percent of the businesses since taking office. I am committed to getting rid of this tax entirely. It will mean more jobs for Florida families.

Thanks to the hard choices we have made over the last two years, we can afford to cut taxes—and also invest in critical areas that have gone without increased funding for several years. Our budget increases operating funds for Florida state colleges by \$70 million and increases funding for Florida universities by more than \$390 million. Much of this increase will be tied to performance measures to ensure schools are preparing students to get a job. I would especially thank University of Florida President Bernie Machen for being so helpful in coming up with performance measurements for success. Dr. Machen worked with his colleagues across the university system to form measurements and continue to make Florida universities the best in the country. Dr. Machen, please stand so we can thank you and all our university leaders. [applause]

I also want to thank Randy Hanna, Chancellor of the Florida state colleges, for working to make college more affordable. I want to thank Randy for his role in enlisting all 23 state colleges offering four-year degree programs in our \$10,000 degree challenge to graduate students in high-demand job fields at a

low cost. Please join me in thanking Randy, and all of our state college leaders, for stepping up. [applause]

For the first time in eight years, our budget also increases funding for persons with disabilities by \$36 million to help more disabled people receive community-based services, and 2.5 million for job training. Betty Kay Clements is here today. She is an advocate for persons with disabilities in the Orlando area. I was honored to meet Betty recently and hear her story about her beautiful daughter, Laura Lynn, who has overcome many obstacles with her disability to get a job at Target. Betty Kay, please stand so we can thank you for sharing your victory. [applause]

Our Florida Families First budget also invests \$1.5 million to provide safe houses for victims of human trafficking. Ann and I had the privilege of meeting Allison Good in Miami last month. Allison was first trafficked when she was five years old. She eventually came to Florida, where she continued to be a victim of trafficking into her early twenties. Today, Allison is a warrior in the battle to end this horrific crime. Allison could not be here today, but we are grateful for the God-given bravery she has to share her story and give a voice to the millions of victims who suffer in silence. Please join me in a round of applause to thank Allison and all of those working to raise awareness against this evil and stop this crime from claiming even one more victim. [applause]

We have some other heroes here today. Annette Kirk, will you please stand in honor of your son, Private First Class Paul Cuzzupe. Paul lost his life while fighting for our freedom in Afghanistan. Annette, it was an honor to meet your family in Tampa and to hear about Paul's bravery in combat. Please join me in thanking Annette and every military family for their sacrifice. [standing ovation]

To our troops, our firefighters, and police officers, you are the true definition of heroism. St. Lucie County Sheriff's Sergeant Gary Morales, whose life was taken tragically just last week, was a profile of courage. We are forever grateful to Sergeant Morales and all of our first responders who live for something larger than self. Thank you very much. [standing ovation]

I also want to recognize Representative Cary Pigman from Highlands County who will be deploying to Kuwait with the U.S. Army Reserve right after session's end. Rep. Pigman, will you please stand so we can thank you for your service not only to our state, but to our country. [standing ovation]

Two years ago, we began our hard work to get our state's economy back on track. Today, we know it's working. [applause] We could've chosen a different course. We could've continued to drive up taxes and borrow to increase spending. That would've been the easy way out. California raised their top income tax rate to 13.3 percent—the highest in the nation. But it isn't working in California. People are leaving their state and they have the second highest unemployment rate in the country. More taxes and more spending aren't working in New York either. More than 3.4 million people have fled New York from 2000 to 2009. Florida was their number one destination. [applause] Taxing and spending aren't working in Illinois either. After raising their personal income tax rate by nearly 70 percent in 2011, they have one of the worst budget deficits in the country.

Here in Florida, our work to reduce spending and cut taxes, along with making critical investments in priorities like education, is working. Top CEO's now rank Florida the second best place to do business in the country. The National Chamber Foundation said we have the number one talent pipeline. Just recently, we made a major announcement with Verizon in the Orlando area that will result in a new facility and hundreds of jobs. Michelle Robinson, Verizon's Region President, is here today. Michelle, will you please

stand? [applause] Michelle, thank you for investing in Florida and helping create more opportunities for Florida families. Thank you very much.

We didn't win every battle over the last two years. After a long fight, we lost in the Supreme Court over the President's healthcare law, and we lost a presidential election along with the promise of the law's full repeal. Now, our options are either having Floridians pay to fund this program in other states while denying healthcare to our citizens, or using federal funds to help some of the poorest in our state with the Medicaid program as we explore other healthcare improvements. As I wrestled with this decision, I thought about my mom and her struggles to get my little brother health care with no money. I concluded that for the three years the federal government is committed to paying 100 percent of the cost of new people in Medicaid, I cannot, in good conscience, deny the uninsured access to care. [applause]

Of course, the best way for any family to access great healthcare is to have a great job. [applause] Like my mom, I am an optimist. I believe in big dreams. I believe Florida will be the number one place in the world for job creation; I believe Florida will be the number one place in the world to get a great education; and the number one place in the world where families can afford to live. [applause] I believe that as we all continue to work together, Florida's job growth will outpace the nation and our unemployment rate will drop below the national average. I hope Texas Governor Rick Perry is listening. As Governor Perry found out when he came to Florida to go fishing and came in second, Florida won't stop until we are number one. [applause] Florida will soon unseat Texas as the top job creator in the nation. And we also plan to beat them in how we brag about our state, also.

The hard work done over the last two years has set us up with a simple formula for success this year. We must remove the sales tax on manufacturers and invest in future generations of Floridians by investing in Florida's teachers. [applause] President Gaetz, Speaker Weatherford, senators and representatives: I look forward to joining with you as we all put Florida families first and send a message to the world that Florida is serious about job creation and it's working. Thank you very much. [applause]

Motion

On motion by Senator Thrasher, the Joint Session was dissolved at 12:08 p.m., and the Senators were escorted from the Chamber by the Sergeant at Arms of the Senate.

Pages and Messengers for the week of March 11-15, 2013

Pages—Isabella Bogdahn, Winter Haven; Lisa Detert, Venice; Martha Kelly, Bradenton; Mary Kelly, Bradenton; Amelia Kurecki, Venice; Sarah Lambert, Tallahassee; Connor Lennartz, Ormond Beach; Nicholas Longordo, Tallahassee; Emma Pilcher, Freeport; Jonathan Poteet, Naples; Hannah Powell, Havana; Savell Robinson, Sidell; Caleb Rowan, Tallahassee; AnneMarie Russell, Crawfordville; Evan Sharff, Bradenton; Ian Sharff, Bradenton; Christine Stephenson, Boca Raton.

Messengers—Nicholas Bique, Lake Wales; Blake Fezza, Osprey; Zenani Johnson, Tallahassee; Maya King, Tallahassee; Olivia Kurecki, Venice; Travis McLean, Lake Wales; Kyra Milton, Tallahassee; Christopher Poteet, Naples; Anthony Rivera, Palmetto Bay; Emily Rothman, Monticello; Josie Tomkow, Dade City.

CHAMBER ACTIONS ON BILLS

Tuesday, March 12, 2013

HB	9 — Read 2nd time; Placed on 3rd reading	CS/HB	171 — Read 2nd time; Placed on 3rd reading
HB	15 — Read 2nd time; Placed on 3rd reading; Amendment 458825 adopted	CS/HB	215 — Read 2nd time; Placed on 3rd reading; Amendment 952157 Failed
CS/CS/HB	55 — Read 2nd time; Placed on 3rd reading; Amendment 067233 adopted; Amendment 241765 adopted; Amendment 404113 adopted; Amendment 665871 adopted	CS/HB	7003 — Read 2nd time; Placed on 3rd reading
		HB	7059 — Read 2nd time; Placed on 3rd reading
CS/HB	77 — Read 2nd time; Placed on 3rd reading; Amendment 326499 adopted; Amendment 786199 adopted; Amendment 433765 Failed; Amendment 252291 Failed; Amendment 221769 adopted		

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